

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
AT ERIE**

STEVEN SCOTT SMILEY, JR.,	)	
	)	
	)	
	)	
<i>Petitioner,</i>	)	Civil Action No. 15-287
	)	
v.	)	
	)	ORDER
	)	
MONICA RECKTENWALD,	)	
	)	
<i>Respondent.</i>	)	
	)	
_____	)	

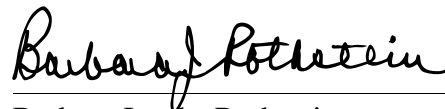
**ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE**

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and the balance of record, **HEREBY ORDERS:**

- (1) The Court **ADOPTS** the Report and Recommendation.
- (2) This petition is **DISMISSED** due to lack of subject matter jurisdiction.
- (3) The Clerk shall send copies of this Order to the parties.

**IT IS SO ORDERED.**

DATED this 30th day of November 2016.

  
\_\_\_\_\_  
Barbara Jacobs Rothstein  
U.S. District Court Judge